



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,453	11/30/2000	Jonathan J. Hull	15358-006220US	2461

7590 09/21/2005

Sujit B. Kotwal  
TOWNSEND and TOWNSEND and CREW LLP  
8th Floor  
Two Embarcadero Center  
San Francisco, CA 94111-3834

EXAMINER

BROWN, RUEBEN M

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/728,453

Applicant(s)

HULL ET AL.

Examiner

Reuben M. Brown

Art Unit

2611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments filed 3/21/2005 have been fully considered but they are not persuasive. Applicant argues on page 16 that Chen does not teach or suggest a physical adapter that comprises a transceiver. However, examiner points out that the claims do not require a “*physical* adapter”, emphasis added. Independent claims 1 & 40 are method claims, whereas claim 14 is directed to a ‘computer program stored on a computer readable medium. Furthermore, claim 27 is directed to a system, comprising ‘input module’; ‘communication module’, etc. Thus, it is clear that the instant claims do not require any “*physical* adapter”, *per se*, as apparently argued by applicant.

Applicant also argues on page 16, that Chen does not teach an adapter that receives audio or video from two different systems, discussing that Chen only explicitly discloses audio/video being associated with the capture device 320 or 452,454. Examiner agrees, but points out that Chen teaches slides 315 presented to the Module 315, but does not specifically state that the slides 15 may be audio/video format. Nevertheless, Qureshi clearly teaches a presentation of slides that are in audio/video format, thus the combination of Chen and Qureshi meets that claimed subject matter of audio/video from two different sources.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 40 is rejected under 35 U.S.C. 102(e) as being anticipated by Chen, (U.S. Pat # 6,249,281).

Considering newly added claimed 40, the claimed method of communicating information during a presentation of information from a presentation file, comprising ‘providing an adapter’, reads on the On-Demand Presentation Module 310 of Fig. 3 & 4.

‘receiving at the adapter, at least one of audio or video information from a first data processing system, the at least one of audio or video information received during the presentation of the information from the presentation file and generated as a result of outputting contents of the presentation file’, is met by the audio/video 320 or video from capture devices 452/454, which may be live or stored on a storage medium such as film, video tape, DVD, etc, the

Art Unit: 2611

playback of which requires a 'data processing system'. The claimed presentation file reads on the slides 315 or presentation application 410.

'transmitting the information received from the first data processing system from the adapter to a second processing system, wherein the second data processing system is enabled to output the information received from the adapter during the presentation of the information from the presentation file', reads on the operation of the Encode/Convert Module 312 or multimedia interface 420, which receives and processes the audio/video information, during the presentation of the slides 315 or slides from application 410.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chen, (U.S. Pat # 6,249,281), in view of Qureshi, (U.S. Pat # 6,396,500).

Considering claim 1, the amended claimed method of communicating information received during a multimedia presentation comprising;

‘providing an adapter comprising a transceiver’, is met by the On-Demand Presentation Module 310 (i.e., adapter) and (transceiver), which generates the On-Demand Presentation 330 from the presentation slides 315 and audio/video 320; see Fig. 3; col. 3, lines 51-60; col. 4, lines 17-25.

‘receiving, at the adapter at least one of video information or audio information from a first system, the at least one of video information or audio information being generated from a presentation file’ corresponds with the disclosure in Chen, which teaches that the Module 310 receives a series of slides 315, via the Link Module 314, see Fig. 3.

However, even though Chen teaches slides 315, the reference does not explicitly teach the slides 315 may contain audio/video information. Nevertheless Qureshi, which is in the same field of endeavor (multimedia slides), teaches that the slides may be audio, video or some other multimedia format, see col. 10, lines 1-42. It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Chen with the teachings of Qureshi, using audio, video, etc. in slides, at least for the desirable benefit of providing the user with more multimedia options.

‘receiving at the adapter, at least one audio or video information from a capture device, the information captured by the capture device during the multimedia presentation’, is met by the disclosure of Chen of an audio/video presentation 320 being received at the Module 310, concurrently with the presentation of the slide 315; see Fig. 3; col. 3, lines 52-67, thru col. 4, lines 1-40. Chen teaches that the audio/video 320 may be a live or recorded event, and thus is inherently captured by a capture device.

‘communicating from the adapter using the transceiver information from the first system and the information received from the capture device’, reads on the discussion in Chen of the On-Demand Module 310, receiving both the slides 315, that have been synchronized with the audio/video 320 and transmitting them ( as the On-Demand Presentation 330) to the presentation server(s) 110; col. 4, lines 26-46.

Examiner points out that Chen includes an additional embodiment shown in Fig. 4, which contains elements that correspond with those cited above, and thus also reads on the claimed subject matter. For instance, the On-Demand Presentation Module 310 (i.e., adapter and transceiver) of Fig. 3; is repeated in Fig. 4. Whereas, the slides 315 corresponds with the presentation application 410 of Fig. 4 and the capture device of Fig. 3, corresponds with the camera 454 and microphone 452 of Fig. 4, which receive video and audio, respectively, and present them, via interface 420 to the On-Demand Presentation Module 310.

Considering claims 2, 15 & 28, the claimed audio capture device is met by the disclosure in Chen of the audio/video presentation 320, which inherently includes an audio capturing device. Furthermore, Fig. 4 of Chen explicitly shows a microphone 452, which also reads on the claimed audio capture device.

Considering claims 3, 16 & 29, the claimed feature of 'processing at the adapter, the information received from the first system and the information from the capture device is broad enough to read on the operation of the On-Demand Presentation Module 310, which at least includes a Link Module 314, which links each of the slides 315 with relevant portions of the audio/video 320 and the encode/converter 312, which encodes the audio/video 320 into MPEG format, see col. 4, lines 3-24 & Fig. 3.

Considering claims 4, 17 & 30, the claimed feature of 'transmitting a first portion of the presentation upon receiving a request', is met by the discussion in Chen, that the On-Demand Presentation 330 may be transmitted to the presentation server(s) 110 and the clients 135 upon request by one or more client(s) 135, see col. 4, lines 26-50.

Considering claims 5-8, 18-21 & 31-34, the claimed subject matter is encompassed by the citations of Chen discussed above, with respect to claims 5, 18 & 31. In particular, the On-Demand Presentation 330 includes the information from the presentation slides 315 and the audio/video 320, which reads on the claimed subject matter.



Considering claims 9, 22 & 35, the amended claimed feature of the 'device requesting transmission of the audio or video information received at the adapter from the first system and the capture device between a start time and end time', is broad enough to read on the disclosure in Chen of a user at a presentation device selecting a particular slide from a display of slide thumbnails, such that in at least one embodiment, when a particular thumbnail is selected by a mouse pointer, that instant slide will appear in the primary window 510 and the audio/video presentation will jump to the corresponding audio/video information in the window 520, see col. 5, lines 40-67 thru col. 6, lines 1-32

Considering claims 10, 23 & 36, the claimed feature of 'selecting a plurality of video frames from the video information received by the adapter, and synchronizing the plurality of video frames with the audio information received by the adapter', reads on the combination of Chen and Qureshi, as discussed above with respect to the rejection of claims 1, 14 & 27. Chen teaches synchronizing a plurality of slide frames 315 with audio/video presentation 320. However, Chen does not explicitly teach that the frames 315 may be video, nevertheless, as pointed out above in the rejection of claims 1, 14 & 27, Qureshi teaches that slides may be video information, and that it would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Chen with the teachings of Qureshi, at least for the desirable advantage of providing the user with a wider range of multimedia to access.

Considering claims 11, 24 & 37, Qureshi teaches the additionally claimed feature of 'generating a web page for each video frame', is met by the operation of the HTML page creation

Art Unit: 2611

module 110, which generates slides page 120; see col. 6, lines 34-40; col. 7, lines 52-67 thru col. 8, lines 20 & col. 10, lines 66-67 thru col. 11, lines 1-26.

As for the further claimed feature of ‘assigning a URL to each web page’, the instant claimed feature is inherently provided by the HTML disclosure in Qureshi, Abstract; col. 10, lines 50-67 thru col. 11, lines 1-26 & Fig. 3. HTML stands for ‘hypertext mark-up language’, therefore by definition; each HTML page created in Qureshi has a URL with which it is linked, so that the instant web page can be accessed, using a browser program 122, such as discussed in Qureshi. In particular, Fig. 3 shows the URL of the current web page in the address bar of the browser window.

Likewise, the additionally claimed feature of ‘transmitting at least a portion of the first representation comprises transmitting at least one URL assigned to a web page’, is met by the URL that is assigned to each HTML page, so that that page can be accessed according to the hypertext mark-up language protocols.

Considering claims 12, 25 & 38, the claimed subject matter corresponds with the well known protocols for retrieval of a web page from a server, using URL technology, and is thus also met by the disclosure of Qureshi, which supports the Internet, col. 2, lines 8-67; col. 9, lines 37-67.

Considering claims 13, 26 & 39, the 'request for a set of video frames from the plurality of video frames', is broad enough to read on the disclosure in Chen that an on-demand presentation may be transmitted to a server(s) and then downloaded/streamed to other clients 135, upon request

Considering claim 14, the claimed computer program product stored on a computer readable medium, and executed by an adapter for communicating information received during a multimedia presentation, comprises elements that correspond with subject matter mentioned above in the rejection of claim 1 and is likewise treated.

In particular, Chen teaches that the invention is embodied on a computer, and uses memory to store executable instructions, col. 3, lines 15-50.

Considering claim 27, the claimed system for communicating information received during a multimedia presentation, comprising elements that correspond with subject matter mentioned above in the rejection of claim 1, are likewise treated.

Claim 27 additionally recites 'an input module' and 'a communication module'. The claimed 'input module' is met by the On-Demand Presentation Module 310, Fig. 3, while the 'communication module' is also met by the operation of the On-Demand Presentation Module 310, which transmits the audio/video presentation information to Presentation Server(s) 110, see col. 4, lines 1-50.

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Lin Teaches generating a movie (i.e., video presentation) from a slide show.

B) Brandt Extracts timing sequence from video slides.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 2611

**Any response to this action should be mailed to:**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

**or faxed to:**

(571) 273-8300, (for formal communications intended for entry)

**Or:**


(571) 273-7290 (for informal or draft communications, please label  
"PROPOSED" or "DRAFT")

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Reuben M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F (9:00-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Reuben M. Brown



**CHRISTOPHER GRANT  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800**